FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

DISTRICT : KOLHAPUR

WRIT PETITION NO.3506 OF 2005

Office notes, Office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders	Court's or Judge's orders

Mr Mandar Limaye for Petitioners.
Mr S.S. Shah for Respondent Nos.1 to 5 and 8.

CORAM : D.K. DESHMUKH J.
DATE : 19TH OCTOBER 2005
P.C. :-

1. By the order impugned, the Trial Court has rejected the application filed by the petitioners for production of documents. The Trial Court has rejected the application on finding that no reasons are disclosed in the application why these documents were being produced at the stage when plaintiffs had closed their evidence. The Trial Court also observed that these documents were in possession of the plaintiffs for a long time and therefore, the application has been made with malafide intention. In the petition, the petitioners have not stated that these observations made in the order of the Trial Court are wrong, that the plaintiffs were not having these

documents in their possession for a long time. If the fact that the documents were in possession of the plaintiffs for a long time is correct, the Trial Court was perfectly justified in observing that the filing of the application itself is malafide with the intention to prolong the proceedings. In this view of the matter therefore, petition cannot be entertained. It is rejected.

. Parties to act on the copy of this order duly authenticated by the Sheristedar / Personal Secretary as true copy.

. Certified copy expedited.